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PATENT & TRADEMARK OFFICE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/637,216
Filing Date	August 8, 2003
First Named Inventor	SONODA, Koji
Art Unit	2131
Examiner Name	Unassigned
Attorney Docket Number	16869S-089800US

Total Number of Pages in This Submission | 8

ENCLOSURES *(Check all that apply)*

- [ ] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53

- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [x] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD

- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [ ] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [x] Other Enclosure(s) (please identify below):

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Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP
Signature	*[signature]*
Printed name	Chun-Pok Leung
Date	January 6, 2005	Reg. No.	41,405

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	*Elizabeth Nesbitt*		
Typed or printed name	Elizabeth Nesbitt	Date	January 6, 2005

60391702 v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

    KOJI SONODA et al.

Application No.: 10/637,216

Filed: August 8, 2003

For: COMPUTER SYSTEM

Customer No.: 20350

Examiner: Unassigned

Technology Center/Art Unit: 2131

Confirmation No.: 3324

**RENEWED PETITION TO MAKE
SPECIAL FOR NEW APPLICATION
UNDER M.P.E.P. § 708.02, VIII & 37
C.F.R. § 1.102(d)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

    In response to the Decision dated November 19, 2004 dismissing the original petition to make special, Applicants respectfully submit a renewed petition to make special the above-identified application under MPEP § 708.02, VIII & 37 C.F.R. § 1.102(d). The application has not received any examination by an Examiner.

    (a)   The Commissioner has previously been authorized to charge the petition fee of $130 under 37 C.F.R. § 1.17(i) and any other fees associated with this paper to Deposit Account 20-1430.

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(b)   All the claims are believed to be directed to a single invention. If the Office determines that all the claims presented are not obviously directed to a single invention, then Applicants will make an election without traverse as a prerequisite to the grant of special status.

(c)   Pre-examination searches were made of U.S. issued patents, including a classification search and a key word search. The classification search was conducted on or around June 29, 2004 covering Classes 707 (subclass 200), 709 (subclass 220), and 711 (subclasses 100, 112, 114, and 156), by a professional search firm, Lacasse & Associates, LLC. The key word search was performed on the USPTO full-text database including published U.S. patent applications. The inventors further provided a reference considered most closely related to the subject matter of the present application (see references #6 below), which was cited in the Information Disclosure Statement filed with the application on August 8, 2003..

(d)   The following references, copies of which were previously submitted, are deemed most closely related to the subject matter encompassed by the claims:

(1)   U.S. Patent Publication No. 2001/0029507 A1;

(2)   U.S. Patent Publication No. 2003/0046369 A1;

(3)   U.S. Patent Publication No. 2003/0225972 A1;

(4)   U.S. Patent Publication No. 2004/0015520 A1;

(5)   Japanese Patent Publication No. 2003-015931; and

(6)   John Kubiatowicz et al., "OceanStore: An Architecture for Global-Scale Persistent Storage," Proceedings of the Ninth International Conference on Architectural Support for Programming Languages and Operating Systems (ASPLOS 2000), November 2000, pp. 190-201.

(e)   Set forth below is a detailed discussion of references which points out with particularity how the claimed subject matter is distinguishable over the references.

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A.   Claimed Embodiments of the Present Invention

The claimed embodiments relate to technology for a dispersed type of computer system and, more particularly, to a computer system in which there is flexibility to add or delete file attributes.

Independent claim 1 recites a computer system comprising a first storage device storing file management information, a first computer connected to the first storage device, a second computer connected to the first computer via a network, and a second storage device storing file data managed by the file management information, connected to the second computer.

Independent claim 14 recites a method of managing data. The method comprises storing file management information in a first storage device; connecting a first computer to the first storage device; connecting a second computer to the first computer via a network; storing file data in a second storage device; connecting the second storage device to the second computer; and managing the file data stored in the second storage device using the file management information stored in the first storage device.

One benefit that may be derived is the flexibility to add file attributes for each file and efficient management of access rights information for multiple users. Where a file is stored using a plurality of storage devices managed by servers dispersed in a plurality of sites, embodiments of the invention provide a computer system in which accounting information can be managed in respect of each site and each server.

B.   Discussion of the References

None of the following references disclose or suggest a first storage device storing file management information and connected to a first computer; and a second storage device connected to a second computer which is connected to the first computer and storing file data managed by the file management information.

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1.   <u>U.S. Patent Publication No. 2001/0029507 A1</u>

This reference discloses a database-file link system and method therefor. A file server 20 and a database DB server 30 are connected through a communication network 90. A content information file 244 retains attribute information of the DB managed contents. During database registration, an OS file accessing control information 245 (for DB managed contents 243) is updated by means of the File Management System (FMS) 242. The OS file accessing control information 245, DB managed contents 243, File Management System 242, OS 241, and contents information file 244 all reside in the file server 20. See Figs. 1-3; and paragraphs [0039], [0040], [0043], [0074], [0078], [0080], [0084], [0090], [0091], and [0093].

In this reference, the OS file accessing control information 245, DB managed contents 243, File Management System 242, OS 241, and contents information file 244 all reside in the file server 20. There is no file management information stored in a first storage device connected to a first computer, and file data stored in a second storage device connected to a second computer to be managed by the file management information stored in the first storage device, as recited in independent claims 1 and 14. Therefore, Applicants believe independent claims 1 and 14 and the dependent claims are patentable.

2.   <u>U.S. Patent Publication No. 2003/0046369 A1</u>

This reference relates to method and apparatus for initializing a new node in a network. A storage system (content repository) 1530 includes content provider's account information, assigned content management server, reserved storage, number of media files, and media file's attributes. A file metadata database within the storage system 1530 holds file metadata related to block files (block size, attributes, etc.). See Fig. 15; and paragraphs [0208], [0209], [0211], and [0215].

In this reference, the storage system 1503 holds the content provider's account information, assigned content management server, reserved storage, number of media files, and media file's attributes, as well as the file metadata related to block files (block size, attributes, etc.). There is no file management information stored in a first storage device connected to a first computer, and file data stored in a second storage device connected to a

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second computer to be managed by the file management information stored in the first storage device, as recited in independent claims 1 and 14. Therefore, Applicants believe independent claims 1 and 14 and the dependent claims are patentable.

> 3.   U.S. Patent Publication No. 2003/0225972 A1

This reference discloses a storage system in which a file attribute control unit 1331 and a disk device 143 of a storage unit 14 executing a processing are linked together in response to a request from client computer(s) 11a-11b. The host computer 13 executes a file attribute control program 1331 to add a particular attribute to a file. The disk device 143 of the storage unit 14 operates in response to the added attribute. See Figs. 1 and 4; and paragraphs [0033]-[0037], [0040], [0041], and [0049]-[0051].

In this reference, the host computer 13 executes the file attribute control program 1331 to add an attribute to a file, and the disk device 143 of a storage unit 14 operates in response to the added attribute. There is no file management information stored in a first storage device connected to a first computer, and file data stored in a second storage device connected to a second computer to be managed by the file management information stored in the first storage device, as recited in independent claims 1 and 14. Therefore, Applicants believe independent claims 1 and 14 and the dependent claims are patentable.

> 4.   U.S. Patent Publication No. 2004/0015520 A1

This reference discloses database managing method and system having data backup function and associated programs. A database management program 10 has a data attribute changing module 140 for registering a data attribute or changing a data attribute stored in a data attribute table 35. See Figs. 1 and 4; and paragraphs [0015], [0018], and [0019].

In this reference, the single database management program 10 has a DB backup processing module for backing up data stored in the database 30 in the backup files 40. There is no file management information stored in a first storage device connected to a first computer, and file data stored in a second storage device connected to a second computer to be managed by the file management information stored in the first storage device, as

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recited in independent claims 1 and 14. Therefore, Applicants believe independent claims 1 and 14 and the dependent claims are patentable.

5.   Japanese Patent Publication No. 2003-015931

This reference relates to information processing system and storage area providing method to provide a data storage system, in consideration of the attributes (performance and cost), the operating rate and the data usage frequency of the storage device in a storage area network constituted of a plurality of the storage devices that have different attributes and are used in a business pattern of a storage device provider or the like. A plurality of storage devices have different attributes; and an attribute holding means is provided for holding information representing attribute of each storage device.

In this reference, the attribute holding means is not connected to a second computer, which is connected via a network to a first computer that is connected to the storage device(s). There is no file management information stored in a first storage device connected to a first computer, and file data stored in a second storage device connected to a second computer to be managed by the file management information stored in the first storage device, as recited in independent claims 1 and 14. Therefore, Applicants believe independent claims 1 and 14 and the dependent claims are patentable.
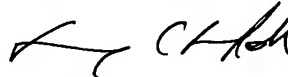
6.   John Kubiatowicz et al., "OceanStore: An Architecture for Global-Scale Persistent Storage," Proceedings of the Ninth International Conference on Architectural Support for Programming Languages and Operating Systems (ASPLOS 2000), November 2000, pp. 190-201.

This reference discloses a utility infrastructure designed to span the globe and provide continuous access to persistent information. Because the infrastructure is comprised of untrusted servers, data is protected through redundancy and cryptographic techniques. To improve performance, data is allowed to be cached anywhere, anytime. Monitoring of usage patterns allows adaptation to regional outages and denial of service attacks. Monitoring also enhances performance through proactive movement of data.

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As discussed in the specification of the present application at page 1, line 22 to page 2, line 11, this reference merely provides for placement and replication of data in each of a plurality of storage devices and servers installed in geographically dispersed locations or sites. This allows the load for data processing and the data itself to be dispersed through a plurality of servers. The reference does not provide a flexible management of file attributes (specification at page 3, lines 1-6). There is no file management information stored in a first storage device connected to a first computer, and file data stored in a second storage device connected to a second computer to be managed by the file management information stored in the first storage device, as recited in independent claims 1 and 14. Therefore, Applicants believe independent claims 1 and 14 and the dependent claims are patentable.

(f)   In view of this petition, the Examiner is respectfully requested to issue a first Office Action at an early date.

Respectfully submitted,

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